S.B.CRIMINAL MISC.II BAIL APPLICATION NO.4479/2006

Date : 17.10.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Shambhoo Singh for the applicants.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

In this second bail application, submission of learned counsel is that the Court has given direction in S.B. Criminal Misc. Bail Application No.2996/2006 by order dated 28.8.2006 to record statements of the witnesses regarding recovery. Learned counsel submits that presently it is not possible to record the statements of those witnesses as one of accused Smt. Manju has absconded, therefore, the applicants being in jail, their bail application may be considered.

Having considered the submission made before me, I do not find any change in circumstance which may require consideration in this second bail application but at the same

time, I deem it proper to give direction to the learned trial court to take effective steps for securing presence of accused Smt. Manju. However, the applicants shall be free to move another bail application if considered proper, after two months.

Presently, the second bail application stands rejected with the above observation.

(SATYA PRAKASH PATHAK), J.

vijayant